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SUBJECT: Ten Arrested in Rosenberg Murder Case

REF: GUATEMALA 734

CLASSIFIED BY: Drew G. Blakeney, Political and Economic Counselor,
State, P/E; REASON: 1.4(B), (D)

¶1. (S) Summary. Ten men, including three police officers, were arrested as a result of a CICIG investigation into the May murder of attorney Rodrigo Rosenberg. The FBI is assisting with the investigation. The men are currently being held together at Guatemala City's Zone 18 prison, but CICIG is seeking their transfer in order to isolate them and thereby facilitate interrogations. CICIG has identified one of former Minister of Government Salvador Gandara's bodyguards as the intermediary between the gang that killed Rosenberg and the intellectual authors of the crime. The arrests are an encouraging development in this very high profile case. CICIG hopes to have identified and apprehended the masterminds by year's end. End Summary.

¶2. (C) On September 11th, an FBI-assisted CICIG (International Commission Against Impunity in Guatemala) investigation, based on video surveillance and telephone intercepts, led to the arrests of nine men for the May 10 murder of attorney Rodrigo Rosenberg (reftel). Group leader William Gilberto Santos Divas, arrested in Villa Nueva, and active duty National Civilian Police (PNC) officer Mario Luis Paz Mejia, arrested in Guatemala City, were charged with murder and illicit association. Charged only with illicit association were former soldier Edwin Idelmo Lopez (captured in Escuintla); PNC officer Carlos Humberto Aragon Cardona (captured in Retalhuleu); Byron Estuardo Santos Divas (captured in Escuintla); and Samuel Giron Tobar, Balmore Guzman Orellana, Jose Armando Ruano Gaitan, and Lucas Jose Santiago Lopez (all arrested in San Miguel Petapa). Aragon worked as a receptionist at the NAS-supported PNC intelligence unit (CRADIC, Center for Gathering, Analysis, and Distribution of Criminal Information). He was not authorized access to sensitive information, and passed polygraph vetting in ¶2008. All are being held together in Guatemala City's Zone 18 Prison. On September 18 a tenth suspect, PNC officer Miguel de Jesus Ordenez Barrios, was also arrested.

¶3. (S) The Chief Investigator for the UN-led International Commission Against Impunity in Guatemala (CICIG) told Pol/Econ Counselor Sept. 18 that CICIG has overwhelming evidence against the men, who together composed a for-hire criminal gang that engaged in a wide variety of crimes, including extortion and murder. He added that they worked with the knowledge and complicity of the leadership of Guatemala City's Precinct 11 police station. CICIG had wanted to continue following the men, and with the FBI's assistance had placed a tracking device on the vehicle they used for the Rosenberg murder. However, indications that they planned

to commit another murder in the near future led CICIG to proceed with the arrests.

¶4. (S) The Chief Investigator said the men are currently being held in a common cell, and that it was imperative to get Guatemalan prison authorities to transfer them to the new, high security prison in Fraijaines, where they could be held separately. Isolating them would help investigators in their interrogations; at present, the prisoners are collaborating on what to tell the investigating authorities. Also, CICIG received intelligence indicating that the gang leader, Santos Divas, is considering murdering two of the gang members whom he suspects of possible disloyalty. In the course of the arrests, CICIG captured 37 cell phones, and is now analyzing their content with NAS assistance.

¶5. (S) The Chief Investigator said a bodyguard of former Minister of Government Salvador Gandara hired and paid the gang. CICIG is investigating what role if any Gandara -- who has since returned to his previous position as Mayor of Villa Nueva -- may have played in the murder. The Chief Investigator said CICIG continues to investigate Luis Mendizabal as a possible intellectual author of the crime (reftel), and that he hopes to have solved the crime and arrested those responsible by year's end. During an August conversation with Pol/Econ Counselor, Gandara said he too believed Mendizabal was responsible for Rosenberg's murder, and that the motive for the crime had to do with the lucrative printing contract for Guatemalan passports.

¶6. (S) Comment: We are pleased by this substantial progress in one of CICIG's most important investigations. New plea bargaining legislation should help CICIG investigators determine the identities of the masterminds of the Rosenberg murder, and should also provide leads in the apparently related April murders of Khalil and Marjorie Musa. We are unsurprised by the involvement of active duty and former police officers, but are concerned that among them was a low-ranking CRADIC officer. The alleged involvement of Gandara's bodyguard raises new questions about the former Minister of Government, whom the Attorney General's Office is now investigating for corruption and money laundering.
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